

06.01.2026

Item No.27

Ct.No.3

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

C.R.M. (A) 935 of 2025

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 438 of the Code of Criminal Procedure filed in connection with Dhupguri Police Station Case No. 386 of 2025 dated 20.10.2025 under Sections 126(2)/118(2)/117(2)/109(1)/74/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Tushta Sarkar and another**

... Petitioners.

Ms. Madhushri Dutta

... For the Petitioners.

Mr. Abhijit Sarkar,
Ms. Sukanya Adhikary

... For the State.

Learned advocate appearing for the petitioners submits that the petitioners are similarly situated as other accused persons who have been extended the privilege of anticipatory bail in CRM(A) 875 of 2025.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and draws the attention of the Court to the injury reports.

I have taken into account the injury reports where I find that in case of one Netai Sarkar there are injuries of blunt trauma at the head, foot and also at the knee. The same corroborates the accusations of the FIR maker. However, neither the injury report names of any of the

accused person nor the statement of the doctor has been recorded. On an overall assessment, I am of the view that custodial detention of the petitioners may not be required in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioners is **allowed**.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.20,000/- each, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

The petitioners shall not enter within the jurisdiction of Dhupguri Police Station except for the purposes of meeting with the Investigating Officer once a week till submission of the charge-sheet before the jurisdictional court.

The application for anticipatory bail, being CRM(A) 935 of 2025, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)